

2002 Louisiana Income Tax Return

Nonresident and Part-year Resident Form

Access information about the Department of Revenue on the World Wide Web at www.rev.state.la.us



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Check the status of your refund or request forms by calling 1-888-829-3071. This toll-free number is available 24 hours a day. For local calls within the Baton Rouge area, call 922-3270.



GENERAL INFORMATION FOR FILING YOUR 2002 LOUISIANA NONRESIDENT AND PART-YEAR RESIDENT INDIVIDUAL INCOME TAX RETURN

Important: If provided, taxpayers should file the pre-printed tax form imprinted with their name and address. Please print in black ink only.

WHO MUST FILE A RETURN (Form IT-540B)

- Any nonresident or part-year resident with income from Louisiana sources who is required to file a federal individual income tax return must file a Louisiana return reporting income earned in 2002.
- Any taxpayer who has overpaid his tax through withholding or declaration of estimated tax must file a return to obtain a refund or credit.
- Any military personnel whose home of record is Louisiana and who
 meets the filing requirements of 1 or 2 above must file a return and report
 all of his income regardless of where he was stationed. If you are single,
 you should file a resident return (Form IT-540) and report all of your
 income to Louisiana.

If you are married and both you and your spouse are residents of the State of Louisiana, you should file a resident return (Form IT-540) and report all of your income to Louisiana. If you are married and one of you is not a resident of Louisiana, you have the option of filing a resident (Form IT-540) or nonresident (Form IT-540B) return. You may choose the option that is more beneficial to your current situation.

If an income tax liability was paid to another state on nonmilitary income and income earned by a spouse, Louisiana taxpayers are allowed a credit for this liability, provided such income was included on the Louisiana return.

- 4. Any military personnel whose domicile is not Louisiana must report any nonmilitary Louisiana source income on Form IT-540B.
- 5. Surviving Spouses, Executors, Administrators, or Legal Representatives You must file a final return for a decedent (a person who died) if both of the following are true. (1) You are the surviving spouse, executor, administrator, or legal representative. (2) The decedent met the filing requirements at the date of death. For more information on rules for filing a decedent's final return contact the Department of Revenue at the locations listed on the back cover.

EXCEPTION – PROFESSIONAL ATHLETES – A professional athlete that either plays for a professional sports franchise or is a member of a professional sports association or league must file Form IT-540B-NRA instead of Form IT-540B. For further information, visit the Department's website at <a href="https://www.rev.state.la.usand click on "Rules and Legislation" followed by "Policy Documents," scroll down to "Revenue Information Bulletins," and click on "Personal Income Tax." Click on Bulletin No. 01-003. You may also obtain forms via the website or at any location of the Department. The locations are listed on the back cover of the booklet.

Any nonresident and any individual who was a resident for part of the year and a nonresident the remainder of the year must report his income from all sources for the period during which he was a resident, plus all income from Louisiana sources for the period he was a nonresident, on Form IT-540B.

FORMS

Forms and instructions may be obtained from any office of the Department of Revenue and on the Department's website at www.rev.state.la.us. The locations are listed on the back cover of this booklet.

AMENDED RETURNS

If you file your income tax return and later become aware of any changes you must make to income, deductions, or credits, you must file an amended

Louisiana return. A corrected return, Form IT-540B, for the tax year being amended should be submitted along with an explanation of the change(s) and a copy of the federal amended return, Form 1040X, if one was filed. The form should be clearly marked with an "X" in the "Amended Return" box. Do not make any adjustments for refunds received or for payments made with original return. This information is already on file.

FEDERAL TAX ADJUSTMENTS

Louisiana Revised Statute 47:103(C) requires taxpayers whose federal returns are adjusted to furnish a statement disclosing the nature and amounts of such adjustments within 60 days after the adjustments have been made and accepted.

WHEN TO FILE AND PAY TAX

- 1. A calendar year return is due on or before May 15, 2003.
- 2. Returns for fiscal years are due on or before the 15th day of the fifth month after the close of the taxable year.

WHERE TO FILE AND PAY TAX

MAIL forms and payment to: Louisiana Department of Revenue, P.O. Box 3440, Baton Rouge, LA 70821-3440, or DELIVER to any office of the Department listed on the back cover of this booklet. **DO NOT SEND CASH.**

Payments should be made payable to the Department of Revenue. Cost for processing drafts or checks drawn on foreign banks will be charged to the taxpayer.

Write your Social Security Number on all payments and correspondence.

EXTENSION OF TIME FOR FILING A RETURN

Louisiana recognizes the extension granted by the Internal Revenue Service. Attach a copy of your automatic or approved federal extension to your Louisiana income tax return.

An extension only extends the time to file the return, not the time to pay any tax that may be due.

Use Form R-6465 for requesting an extension beyond the date required for filing your federal return. The form is available on the Department's website.

INTEREST AND PENALTY

INTEREST — Interest is due on all items of tax not paid on time. Interest is computed at the rate of 15 percent per annum from the date due until the date paid.

DELINQUENT PENALTY — For failure to file a return on time, a penalty of 5 percent of the tax accrues if the delay in filing is not more than 30 days, with an additional 5 percent for each additional 30 days or fraction thereof during which the failure to file continues, not to exceed a total of 25 percent.

LATE PAYMENT PENALTY — For failure to pay the tax in full by the date the return is required by law to be filed, determined without regard to any extension of time for filing the return, a penalty of 0.5 percent of the tax not paid accrues for each 30 days during which the failure to pay continues, not to exceed a total of 25 percent.

KEEP YOUR RECORDS

Taxpayers should keep copies of federal and state returns and W-2 statements for four years. Do not submit a copy of your federal return, unless requested by the Department.

INSTRUCTIONS FOR PREPARING YOUR

2002 Nonresident and Part-year Resident Individual Income Tax Return, Form IT-540B

ABOUT THIS FORM

If you were a nonresident of Louisiana or a resident of Louisiana for only part of the year and a part of the income reported on your federal return is taxable to Louisiana, you should complete Form IT-540B. If you are a nonresident professional athlete, do not prepare this form, use Form IT-540B-NRA.

- 1. If provided, use the pre-addressed copy of the return imprinted with the taxpayer's name and address.
- 2. Write amounts only on those lines that are applicable.
- 3. Use only a black ink pen. Do not use red ink.
- 4. Because this form is read by a machine, please print your numbers inside the boxes like this:

0123456789X

- 5. All numbers should be rounded to the nearest dollar and numbers should **NOT** be printed over the zeros printed in the handprint boxes used to designate cents.
- 6. To avoid any delay in processing, use this form for 2002 only.
- 7. If you are filing an amended return, mark an "X" in the "Amended Return" box.

NAME, ADDRESS, AND SOCIAL SECURITY NUMBER – Print your Social Security Number(s) in the space provided. If there is an error on the pre-addressed return, please correct it on the return. Using the pre-addressed return helps identify your account, saves processing time, and speeds refunds. If you did not receive a booklet that was pre-addressed, print your name(s), address, and Social Security Number(s) on your return. If your name and/or address has changed since last year's return (for example, new spouse), please mark the appropriate box. Print a daytime telephone number in the space provided. If married, please give Social Security Numbers for both you and your spouse. List in the same order as they were listed on your federal return.

LINES 1-5 – Filing status – You must use the same filing status on your Louisiana return as you did on your federal return. In the box on the left, print the number corresponding to your filing status: "1" for Single, "2" for Married Filing Jointly, "3" for Married Filing Separately, "4" for Head of Household, and "5" for Qualifying Widow(er). If your filing status is Head of Household, you must show the name of the qualifying person in the space provided if that person is not a dependent. Head of Household status is for unmarried people who paid over half the cost of keeping up a home for a qualifying person.

LINE 6 – Exemptions – Mark an "X" in the appropriate boxes. You must use the same number of exemptions on your Louisiana return as you did on your federal return unless you are listed as a dependent on someone else's return or you are 65 or over or blind. You must claim an exemption for yourself on Line 6A even if someone else claimed you on their federal tax return. This box has been marked for you. Print in the box provided on Line 6D the total number of exemptions claimed. The names of all dependents must be shown in the space provided.

LINE 7 – Print the amount of your federal adjusted gross income. This amount is taken from federal Form 1040EZ, Line 4, **OR** federal Form 1040A, Line 21, **OR** federal Form 1040, Line 35, **OR** federal Telefile worksheet, Line "I". If your federal adjusted gross income is less than zero, print "0."

LINE 8 – Print the total income taxable to Louisiana. On a separate sheet of paper, prepare a schedule that lists the items of income taxable to Louisiana. Please include on the schedule your name

and Social Security Number along with an explanation of taxable Louisiana income. Nonresidents must report all income from Louisiana sources. Any individual who was a resident of Louisiana for only part of the year must report his income from all sources for the period during which he was a resident, plus all income from Louisiana sources for the period he was a nonresident. Each taxpayer over 65 who received retirement, annuity, or disability income for a permanent total disability is entitled to exclude up to \$6,000 of annual retirement or annuity income taxable to Louisiana. "Annual retirement income" is pension and annuity income reported on federal Form 1040, Lines 15b and 16b, OR federal Form 1040A, Lines 11b and 12b, which is taxable to Louisiana. **START Savings Program** – R.S. 47:293 allows taxpayers to exempt from Louisiana income tax up to \$2,400 of income per START account owned per taxable year. For information concerning the carryforward provision of the START Savings Program, please refer to Revenue Information Bulletin 03-001 on our website.

If you have any "Adjustments to Income" on your federal tax return that apply to Louisiana income, that amount should be shown on the schedule.

If Line 8 is less than zero, print "0".

LINE 9 – Divide Line 8 by Line 7. Carry out two decimal places in the percentage; for example, 48.32 percent. **DO NOT ROUND UP.** The percentage cannot exceed 100 percent. When federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent. (R.S. 47:293(7))

LINE 10A – Leave blank if you did **not** itemize deductions on your federal return. If you did itemize, print your federal itemized deductions from your federal Form 1040, Schedule A, Line 28.

LINE 10B – Leave blank if you did **not** itemize deductions on your federal return. If you did itemize, and your filing status is "1", print \$4,700; if "2" or "5", print \$7,850; if "3", print \$3,925; if "4", print \$6,900.

LINE 10C – Subtract Line 10B from Line 10A and print the balance. If less than zero, print "0".

LINE 10D – Multiply Line 10C by 57.5 percent (.575). Round up to the nearest dollar.

LINE 10E –Print the amount of your federal tax liability on this line. This amount is taken from your federal return. Each federal return is listed below:

Federal Form 1040EZ filers: This amount is taken from Line 10.

Federal Form 1040A filers: This amount is taken from Line 36.

Federal Form 1040 filers: This amount is taken from Line 55, less the amount from Form 4972 included on Line 42.

Optional deduction – The Federal Tax Deduction above may be increased by the amount of foreign tax credit claimed on federal Form 1040, Line 45. If this additional deduction is claimed, no special allowable credit may be claimed on Line 13.

Federal Telefile: This amount is taken from the right hand column of Line K of the federal Telefile worksheet, [Line K (2) Tax].

LINE 10F – Add Lines 10D and 10E and print the total.

LINE 10G – Multiply Line 10F by the percentage on Line 9 and print the result. This amount of deduction is the portion applicable to your Louisiana income.

LINE 11 – Subtract Line 10G from Line 8. If less than zero, print "0".

DO NOT USE RESIDENT TAX TABLES. USE WORKSHEET BELOW.

TAX COMPUTATION WORKSHEET (Keep this worksheet for your records.)									
Α	A Taxable Income: Print the amount from Line 11 of Form IT-540B.					Α		00	
В	First Bracket: If Line A is greater than \$10,000 (\$20,000 if filling status is 2 of filling status is 2 or 5). If Line A is less than \$10,000 (\$20,000 if filling status is 2 or 5).	r 5), pri or 5), pr	nt \$10,000 (\$20,000 ii rint amount from Line A	if \.	В	00			
С	1. Combined Personal Exemption – Standard Deduction : If your filing status is 2, 4, or 5, print \$9,000; if 1 or 3, print \$4,500.	C1	(00		·			
	 Credit for Dependents: Print \$1,000 for taxpayers and/or spouses who are 65 or over, or blind, and for each dependent claimed on Line 6C of Form IT-540B. 	C2	C	00					
	3. Total: Add Lines C1 and C2.	С3	C	00					
D	Ratio: Enter the ratio from Form IT-540B, Line 9.	D	o,	%					
E Allowable Deduction: Multiply Line C3 by the ratio on Line D.						TAX			
F						2% Rate		00	
G	G Second Bracket: Subtract Line B from Line A; and, if the balance is greater than zero, print the balance or \$40,000 (\$80,000 if filing status is 2 or 5) whichever is less. Note: Reduce this amount by the amount that Line E exceeds Line B. Multiply balance by 4% (.04) and print the result in the TAX column. G O					4% Rate		00	
Н	00					6% Rate		00	
I Total Tax: Add the amounts in the TAX column on Lines F, G, and H. Print here and on Line 12 of Form IT-540B.					ı		00		

LINE 13 - You may reduce your tax liability by the following credits. Attach a schedule and an explanation for any credit taken.

- 1-CREDIT FOR CERTAIN DISABILITIES (R.S. 47:297(A)) A credit of \$100 against the tax is permitted for the taxpayer, spouse, or dependent who is blind, deaf, mentally incapacitated, or has lost the use of a limb. Only one credit is allowed per **person.** The disability must exist at the end of the taxable year, or if death occurred during the taxable year, at the date of death. If you are claiming this credit for the first time, a physician's statement certifying the disability is required. If one is not submitted with the return, it will be requested later. For purposes of this credit, BLIND is defined as one who is totally blind or whose central field of acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity is limited to a field no greater than 20 degrees. MENTALLY INCAPACITATED is defined as one who is incapable of caring for himself or performing routine daily health requirements due to his mental condition. LOSS OF LIMB is defined as one who has lost one or both hands at or above the wrist or one or both feet at or above the ankle. This credit also applies if use of the limb or limbs has been permanently lost. DEAF is defined as one who cannot understand speech through auditory means alone (even with the use of amplified sound) and must either use visual means or rely on other means of communication. The name(s) of the qualifying dependent(s) must be printed on a schedule, showing the total number of qualifying individuals. Multiply that number by \$100.
- **2 CREDIT FOR CONTRIBUTIONS TO EDUCATIONAL IN-STITUTIONS** (R.S. 47:37) Taxpayers who donate computer equipment to educational institutions are allowed a credit of 40 percent of the value of the property donated against their Louisiana income tax. The recipient certifies the donation or contribution of property by using the Certificate of Donation, Form R-3400. This form is available on the Department's website at www.rev.state.la.us. The completed certification form must be attached to the individual income tax return. Enter the value of the property donated to an educational institution in Louisiana on a schedule. Multiply that amount by 40%. Round to the nearest dollar.

- **3 CREDIT FOR CERTAIN FEDERAL CREDITS** (R.S. 47:297(B))Taxpayers are allowed a credit of 10 percent of the credits taken on Lines 45, 46, and 47 on federal Form 1040 plus 10 percent of any investment tax credit or jobs credit computed on federal Form 3800. If federal Form 1040A is used, the allowed credit is 10 percent of the credits on Lines 29 and 30 of the federal return. If the credit was not utilized on the federal return because of the alternative minimum tax, you must reduce this amount by the portion of the credit that was not utilized. Print the total federal credit on a schedule. Multiply the credit by 10%. The credit cannot exceed \$25.
- 4 OTHER CREDITS [A] Family Responsibility Program **Credit** (R.S. 47:297(F) & 46:449) Individuals who have a contract with the Louisiana Department of Social Services to contribute to medical care in the family responsibility program are eligible for a credit of 1/3 of their contribution, limited to \$200 per year. [B] Louisiana Capital Companies Credit (R.S. 51:1924) Louisiana law provides for a credit for investment in Louisiana Capital Companies. [C] Dedicated Research Investment Fund Credit (R.S. 51:2203) A credit of 35 percent of a cash donation of \$200,000 or more to the Dedicated Research Investment Fund is available. The Louisiana Board of Regents must certify the credit. [D] Credit for Employment of the Previously **Unemployed** (R.S. 47:6004) Business proprietors are possibly eligible for a credit for hiring the previously unemployed. [E] Credit for Converting Vehicles to Alternative Fuel Usage (R.S. 47:38) A credit is available for conversion of vehicles to alternative fuels. [F] Small Town Doctor's Credit (R.S. 47:297(H)) Doctors affiliated with small town community hospitals may qualify for a tax credit. [G] Credit for a Dentist Who Maintains a Primary Practice in a Dental Health Professional Shortage Area (R.S. 47:297(H)(2) & R.S. 47:305 (D)(1)(t)). [H] Louisiana Basic Skills Training Tax Credit (R.S. 47:6009) Employers who pay for training to bring employees' reading, writing, or mathematical skills to at least the 12th grade level may be entitled to a credit of \$250 per participating employee. [I] Credit for Gasoline and Special Fuels Taxes (R.S. 47:297(C)) A credit is provided for gasoline and special fuels taxes paid for operating or propelling any commercial fishing boat. [J] Credit for Educational Expenses Incurred for a Degree Related to Law Enforcement (R.S. 47:297(J))

A credit is provided for certain law enforcement officers and certain employees of the Department of Public Safety and Corrections for certain post-secondary educational expenses incurred in the pursuit of an undergraduate degree related to law enforcement. [K] Credit for the Employment of Certain First-Time Drug Offenders (R.S. 47:297(K)) A credit is available for the employment of certain first-time drug offenders. [L] Bone Marrow Donor Expenses Credit (R.S. 47:297(I)) An employer credit is provided for expenses associated with a bone marrow donor program. [M] Credit for Purchase of a Bullet Proof Vest (R.S. 47:297(L)) Qualified law enforcement officers and certain employees of the Department of Public Safety and Corrections are eligible for a credit for the purchase of a bulletproof vest or \$100, whichever is less. [N] Credit for Donations to Assist Qualified Playgrounds (R.S. 47:6008) A taxpayer may claim up to \$1000 or 50 percent of the value of a qualified donation to a qualified playground. [O] Credit for Employment Related Expenses for Maintaining a Household for Certain Disabled **Dependents** (R.S. 47:297.2) A credit is allowed for persons maintaining a household that includes dependents who are physically or mentally disabled. [P] Motion Picture Investor Tax Credit (R.S. 47:6007) Louisiana domiciled taxpayers may take a tax credit for investments in state certified motion picture productions. [Q] Employment Tax Credit (R.S. 47:1125.1) A motion picture production company may be entitled to a tax credit for the employment of Louisiana citizens. [R] Qualified Recycling Equipment Credit (R.S. 47:6005) A taxpayer who purchases qualified recycling equipment may be entitled to a credit. [S] Rehabilitation of Historic Structures (R.S. 47:6019) A taxpayer may be eligible for a credit as a result of incurring certain expenses during the rehabilitation of a historic structure located in a downtown development district. [T] New Markets Credit (R.S. 47:6016) A taxpayer may qualify for a credit if the taxpayer makes certain qualified low-income community investments. [U] Louisiana Quality Jobs Program Credit (R.S. 51:2452 et. seq) [V] Enterprise Zone Tax Exemption Contract (R.S. 51:1782 et seq). [W] Biomedical Research & Development Park (R.S. 47:813.1 & R.S. 17:3389) Please contact the Department of Economic Development for details about this credit. [X] Manufacturing Establishments (R.S. 47:4305) Please contact the Department of Economic Development for details about this credit.

LINE 14A – Subtract Line 13 from Line 12 and print the balance. If less than zero, print "0".

LINE 14B – Under Louisiana Revised Statute 47:302(K), the Department is required to collect an 8 percent use tax on goods purchased for use in Louisiana if the consumer has not been properly charged Louisiana sales tax. This can include purchases from catalogs, television, the internet, outside the U.S., or from another state. If you made such purchases and were not charged Louisiana sales tax, you must complete the worksheet on the inside back cover of this booklet. Print the Total Use Tax owed on Line 14B on the face of the return.

LINE 14C - Add Lines 14A and 14B. Print the total on Line 14C.

LINE 14D - Print the amount from Line 14C.

LINE 15A – Print the amount of Louisiana income tax withheld in 2002. A copy of the withholding tax Form(s) W-2 must be attached to your return for credit to be allowed.

LINE 15B – Print the total payments made on your estimated taxes including credits carried forward to this year and payments

remitted with extensions. For information concerning composite partnership payments, see LAC 61:I.1401.D.6 on our website.

LINE 15C1 – A refundable credit is allowed against income tax for 100 percent of the ad valorem taxes paid to political subdivisions in Louisiana on inventory held by manufacturers, distributors, and retailers. (R.S. 47: 6006) A copy of the inventory tax assessment and a copy of the cancelled check in payment of the tax must be attached to the return.

LINE 15C2 – A refundable credit is allowed against income tax for up to 40 percent of the ad valorem taxes paid to Louisiana political subdivisions by a telephone company with respect to that company's public service properties located in Louisiana. The credit may be passed through certain legal entities to individuals. See Revenue Information Bulletin 01-004 at the Department's website and R.S. 47:6014. A schedule must be attached stating what entity(ies) paid the tax and obtained the credit on the individual's behalf.

LINE 15C – Add Lines 15C1 and 15C2. Print the total on Line 15C.

LINE 15D – A refundable credit is allowed against income tax for purchases by a taxpayer of specialty apparel items from a Private Sector Prison Industry Enhancement (PIE) contractor (R.S. 47:6018). Please contact the Department for further information concerning this credit.

LINE 15E – Add Lines 15A, 15B, 15C, and 15D. Print the total on Line 15E.

LINE 16 – If the amount on Line 14D is larger than the amount on Line 15E, you owe additional tax. Subtract Line 15E from Line 14D and print the balance on Line 16. If your return is delinquent, see Interest and Penalty Calculation Worksheet. Make payment to the Louisiana Department of Revenue. DO NOT SEND CASH. Print your Social Security Number on your payment and attach it to your return.

LINE 17 – If the amount on Line 15E is larger than the amount on Line 14D, you have overpaid your tax. Subtract Line 14D from Line 15E and print the balance on Line 17.

LINE 18 – Print the amount of Line 17 you want donated. You must complete Schedule D. Line 18 must equal Line 3 of Schedule D.

LINE 18A – Print the amount of Line 17 you wish to contribute to the START Savings Program. Important: You or your spouse (if filing a joint return) must be a registered account owner in the START Savings Program in order to contribute your refund. If you are not an account holder and wish to contribute please call 1-(800) 259-5626, extension 1012, or (225) 342-0010, or visit the website at www.osfa.state.la.us for information on how to join the START Savings Program. All contributions to START Savings Program will be equally distributed amongst the account holder's beneficiaries.

LINE 19A – Print the amount of Line 17 you want **REFUNDED** to you.

LINE 19B – Print the amount of Line 17 you want **CREDITED** to your 2003 tax.

FILING – You must sign and date your return. On a joint return, your spouse must also sign in the space provided. If your return was prepared by a paid preparer, they must also sign in the appropriate space and print their identification number. **DO NOT SUBMIT A PHOTOCOPY OF THE RETURN.**

Interest and Penalty Calculation Worksheet

Use the worksheets below to calculate any interest and delinquent penalty due Louisiana.

Interest Calculation Worksheet

1. Number of days late from May 15		
2. Interest rate per day	.00041	
3. Interest rate (Multiply Line 1 by Line 2.)		
4. Tax deficiency owed to Louisiana (Line 14D minus 15E of Form IT-540B.)		
5. Total amount of interest due (Multiply Line 4 by Line 3.)	\$.00

Delinquent Penalty Calculation Worksheet

1. Number of days late from May 15			
2. Divide Line 1 by 30 (days)	÷	30	
Number of 30-day periods (If fraction of days remain, increase to nearest whole number.)			
4. 30-day penalty percentage		.05	
 Total penalty percentage (Multiply Line 3 by Line 4. The product cannot exceed 25 percent.) 			
6. Tax deficiency owed to Louisiana (Line 14D minus 15E of Form IT-540B.)			
7. Total amount of penalty due (Multiply Line 6 by Line 5.)	\$.00

Total Penalty and Interest	
Line 5 total from interest calculation plus	
Line 7 total from penalty calculation.	\$.00

Interest and penalty must be included in Line 16 (Balance Due Louisiana). If the full amount of tax is not paid on the due date, a late payment penalty will be assessed. The combined amount of delinquent penalty and late payment penalty cannot exceed 25 percent. To avoid delinquent penalty one must obtain an approved extension and file the return on or before the extension date. To avoid the assessment of the late payment penalty, ALL tax must be paid on or before May 15, 2003, even if one has an approved extension.